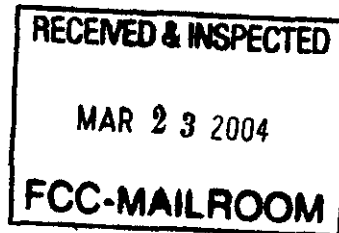


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**Before the  
Federal Communications Commission  
Washington, D.C. 20054**

In the matter of )  
 )  
FAMILY BROADCASTING, INC. )  
 ) **EB Docket No. 01-39**  
Order to Show Cause Why the Licenses for )  
Stations WSTX(AM) and WSTX-FM, )  
Christiansted, U.S. Virgin Islands, )  
Should Not Be Revoked )  
  
To: Chief Administrative Law Judge  
Richard L. Sippel

**MOTION FOR CONTINUANCE**

Family Broadcasting, Inc., by its attorney, hereby respectfully moves for continuance of the hearing date scheduled for March 16, 2004 in the above-captioned proceeding. In a related proceeding, In re Applications of FAMILY BROADCASTING, INC., Assignor, and CALEDONIA COMMUNICATIONS CORPORATION, Assignee, for Assignment of Licenses for WSTX(AM) and WSTX-FM, Christiansted, Virgin Islands, File No. BAL-20030304AAX and File No. BALH-20030304AAW, Family has requested the Commission to approve assignment of the licenses that are the subject of this hearing. It is established law that the Commission, in its attempt to ascertain at hearing whether a licensee continues to be a qualified licensee, it cannot make that decision in a vacuum. See LaRose and Swaggart v. FCC, 494 F.2d

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1145, 161 (U.S. App.D.C. 226), decided March 26, 1974. With respect to the Application for Assignment, the Commission staff initially rejected the Application for Assignment, however, that decision is the subject of a pending APPLICATION FOR REVIEW before the full Commission. Family believes that the full Commission will ultimately reverse the staff decision and grant Family's Application for Assignment under its existing distress sale policy.

Family believes that in the interest of fundamental fairness it should first be allowed to pursue its attempt to convince the Commission to apply its distress sale policy in this instance. Additionally, in the interest of preservatin of government resources it is appropriate to delay this hearing proceeding until the Commission has had an opportunity to determine whether to grant the related assignment application. In light of the foregoing, Family moves for continuance of the above-captioned proceeding, until such time as the full Commission has acted upon Family's application for a distress sale.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. A. Huber', with a stylized flourish at the end.

Daniel A. Huber, Esquire  
560 N Street, S.W.  
Suite 501  
Washington, D.C. 20024

March 16, 2004

## CERTIFICATE OF SERVICE

I, Daniel A. Huber, do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 16<sup>th</sup> day of March, 2004, to the following:

Hon. Michael K. Powell, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Hon. Kathleen Abernathy, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Hon. Michael J. Copps, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Hon. Kevin J. Martin, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Hon. Jonathan S. Adelstein, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
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W. Kenneth Ferree, Chief  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
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Audio Division, Media Bureau  
Federal Communications Commission  
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Investigations/Hearing Division  
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445 12<sup>th</sup> Street, S.W.  
Room 3-B443  
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Hon. Richard L. Sippel  
Chief Administrative Law Judge  
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